

REVISED LAWS OF MINNESOTA *94*

SUPPLEMENT 1909

CONTAINING

THE AMENDMENTS TO THE REVISED LAWS,
AND OTHER LAWS OF A GENERAL AND
PERMANENT NATURE, ENACTED
BY THE LEGISLATURE IN
1905, 1907, AND 1909

WITH HISTORICAL AND EXPLANATORY NOTES TO PRIOR STATUTES
AND FULL AND COMPLETE NOTES OF ALL
APPLICABLE DECISIONS

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CHAPTER 26.

SCHOOLS FOR THE DEAF AND THE BLIND.

1937a. Certain children required to attend.—Every parent, guardian or other person having control of any normal child between eight and twenty years of age, too deaf or too dumb or defective of speech to be materially benefited by the methods of instruction in vogue in the public schools, shall be required to send such child or youth to the school for the deaf at the city of Faribault, Minnesota, during the scholastic year of that school. Such child or youth shall attend such school, year after year, until discharged by the superintendent upon approval of the board in control of such institution.

Excusing attendance.—Such board may excuse attendance when satisfied:

1. That the child is in such bodily or mental condition as to prevent his attendance at school or application to study for the period required.

2. That he is afflicted with such contagious or offensive disease or possesses such habits as to render his presence a menace to the health or morals of other pupils, or for any reason deemed good and sufficient by the superintendent with approval of the board in control of such school.

3. That the child is efficiently taught for the scholastic year in a private or other school, or by a private tutor, the branches taught in the public schools so far as possible.

Penalty.—Any such parent, guardian or other person failing to comply with the foregoing section, shall, upon conviction thereof before the justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five nor more than twenty dollars for the first offense, nor less than ten nor more than fifty dollars for the second and every subsequent offense, with costs in each case. Any person who induces, or attempts to induce, any deaf or dumb child to absent himself or herself unlawfully from school, or employs or harbors any such child unlawfully from school, while said school is in session, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, before the justice of the peace or other court, be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five nor more than twenty dollars for the first offense, nor less than ten nor more than fifty dollars for the second, and every subsequent offense, with costs in each case. The principal teacher of every public school in the counties, and the truant officers of the cities of St. Paul, Minneapolis and Duluth shall, within 30 days before the close of the school year succeeding the passage of this act, and at corresponding period each succeeding year thereafter, furnish the county superintendent of schools or the board of education of the cities of St. Paul, Minneapolis and Duluth, as the case may be, with the name, age, sex and address of parent or guardian of all normal children, who are too deaf or too dumb to be educated in the public schools, between the ages of 8 and 20 years, inclusive, living within the boundaries of his or her school district and who do not attend school. And the county superintendent of schools, or the board of education of the cities of St. Paul, Minneapolis and Duluth, shall certify forthwith the names of all such deaf children with address of parent, age and sex, to the superintendent of the Minnesota school for the deaf at the city of Faribault.

Prosecutions.—It shall be the duty of the county attorney to at once prosecute any case of parent or others unlawfully responsible, directly or indirectly, for the failure to place deaf child or youth in a school for the deaf, when such case shall have been reported to him. (R. L. c. 26, as amended by Laws 1907, c. 407, § 1, and Laws 1909, c. 396, § 1.)

CHAPTER 27.

STATE PUBLIC SCHOOL.

1946. Duty of sheriff—Fees.—If the parents or other persons having custody of the child shall refuse to surrender him to the custody of the court, the judge may make a written order requiring the sheriff to produce him in court. The sheriff shall thereupon take the child and shall keep him at a proper place, other than the county jail, at the expense of the county. The fees and necessary expenses of transportation incurred by the person authorized to convey the child to the state public school shall be audited, allowed and paid, as now provided by law for similar services in insanity proceedings. (R. L. § 1946, as amended by Laws 1909, c. 442, § 1.)

CHAPTER 28.

RAILROADS, WAREHOUSES, AND GRAIN.

RAILROAD AND WAREHOUSE COMMISSION.

[1956—]1. **Salaries of commissioners.**—Beginning with May 1st, 1905, the annual salary of each member of the railroad and warehouse commission shall be thirty-six hundred dollars, payable in the same manner as are salaries of other state officers. The necessary funds to pay the same are hereby annually appropriated out of any funds in the state treasury not otherwise appropriated. ('05 c. 240 § 1)

Historical.—“An act to fix the salary of the members of the railroad and warehouse commission, and appropriating the necessary money therefor.” Approved April 18, 1905.

Section 2 repeals inconsistent acts.

1966. Hearing.—If the matter be not adjusted to the satisfaction of the commission, it shall set a time and place of hearing, and give at least ten days' notice thereof to each party. The parties may appear either in person or by attorney. The commission shall hear evidence and otherwise investigate the matter, and shall make findings of fact upon all matters involved, and such order or recommendation in the premises as may be just. A copy of such findings and order or recommendation shall forthwith be served upon each party. No proceeding shall be dismissed on account of want of pecuniary interest in the complaint. In all proceedings excepting where the reasonableness of rates are under consideration, hearings may be had before one commissioner, who shall decide the matter in controversy and make a report of his decision to the commission. Upon the approval of such report, it shall become the decision of the commission. (R. L. § 1966, as amended by Laws 1907, c. 305, § 1.)